

BATEMAN HARDEN

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CLIENT/MATTER NUMBER
079779-0102

September 14, 2004

Herbert W. A. Thiele, Esquire
County Attorney
301 S. Monroe Street Room 202
Tallahassee, FL 32301

RE: **Rudy Maloy v FACT**

Dear Herb:

Thank you for your March 26, 2004, response to my letter of March 16, 2004, which requested payment for legal services rendered on behalf of Commissioner Rudy Maloy. In response to your requests, Commissioner Maloy's signature below serves to verify his confirmation that he requests that Bateman Harden be reimbursed for such fees.

Regarding your second request that Bateman Harden "fully and completely comply with the procedural requirements mandated under Leon County Policy No. 03-02," it is simply impossible for us to fulfill requirements that were not in place at the time we represented Commissioner. We concluded our representation of Commissioner Maloy in the underlying matter long before adoption of the policy. Certainly, Commissioner Maloy "prevailed" by the County's settlement with Ms. Morris, as his inclusion in the settlement eliminated any further exposure of Leon County and its insurer. Accordingly, and not to be confrontational, we will not respond to the provisions of Leon County Policy No. 03-02. Should you chose to provide us with a copy of Leon County Policy No. 93-50, adopted November 23, 1993, we will attempt to provide the information called for in that policy.


What is sad is that years after assisting in affecting a settlement favorable to Commissioner Maloy and consequently to Leon County, we have had to fight the obstreperous conduct of the County's insurer and the County's intransigence in the payment of Commissioner Maloy's legal fees, even though every adjudication, civil and criminal, have been in his favor.

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LEON COUNTY
ATTORNEY'S OFFICE

Herbert W. A. Thiele, Esquire
September 14, 2004
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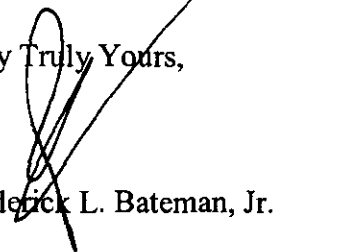
We again ask that you immediately place our request for fees on the agenda for consideration by the Leon County Commission.

Confirmed,



Rudy Maloy
Commissioner, Leon County

Very Truly Yours,



Frederick L. Bateman, Jr.

FLBjr/cjs